



[4910-13]

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

#### **14 CFR Part 71**

**Docket No. FAA-2012-1175; Airspace Docket No. 12-AAL-11**

#### **Amendment of Class E Airspace; Point Thomson, AK**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action modifies the airspace at Point Thomson, AK, by establishing Class E Airspace at Point Thomson Airstrip Airport, Point Thomson, AK. New Area Navigation (RNAV) Global Positioning System (GPS) standard instrument approach procedures have been established at the airport. This action enhances the safety and management of aircraft operations at the airport.

**DATES:** Effective date, 0901 UTC, October 17, 2013. The Director of the Federal Register approves this incorporation by reference action under 1 CFR Part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Richard Roberts, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA, 98057; telephone (425) 203-4517.

#### **SUPPLEMENTARY INFORMATION:**

##### **History**

On May 23, 2013, the FAA published in the FEDERAL REGISTER a notice of proposed rulemaking to modify controlled airspace at Point Thomson, AK (78 FR 30797).

Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class E airspace designations are published in paragraph 6005, of FAA Order 7400.9W dated August 8, 2012, and effective September 15, 2012, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designation listed in this document will be published subsequently in that Order.

### **The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) Part 71 by modifying Class E airspace extending upward from 700 feet above the surface within an 8.9-mile radius of Point Thomson Airstrip Airport, Point Thomson, AK, to accommodate aircraft using new RNAV (GPS) standard instrument approach procedures at the airport. This action is necessary for the safety and management of IFR operations.

The FAA has determined this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106 discusses the authority of the FAA Administrator. Subtitle VII, Aviation Programs,

describes in more detail the scope of the agency’s authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it modifies controlled airspace at Point Thomson Airstrip Airport, Point Thomson, AK.

### **Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1E, “Environmental Impacts: Policies and Procedures,” paragraph 311a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

### **List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air)

### **Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

### **PART 71—DESIGNATION OF CLASS A, B, C, D AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for 14 CFR Part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E. O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR Part 71.1 of the Federal Aviation Administration Order 7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012, and effective September 15, 2012 is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

\* \* \* \* \*

**AAL AK E5 Point Thomson, AK [Modified]**

Point Thomson 3 Heliport, AK

(lat. 70°10'17"N., long. 146°15'31"W)

Point Thomson Airstrip Airport, AK

(lat. 70°08'10"N., long. 146°17'24"W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of Point Thomson 3 Heliport, and that airspace within an 8.9-mile radius of Point Thomson, Airstrip Airport.

Issued in Seattle, Washington, on August 6, 2013.

Christopher Ramirez  
Acting Manager, Operations Support Group  
Western Service Center

[FR Doc. 2013-20018 Filed 08/16/2013 at 8:45 am; Publication Date: 08/19/2013]